



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Bruce W. McClendon FAICP
Director of Planning

September 6, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

HEARING ON PLAN AMENDMENT 2006-00008-(3), ZONE CHANGE No. 2006-00009-(3), AND CHANGES TO TITLE 21 (SUBDIVISION ORDINANCE) AND TITLE 22 (ZONING ORDINANCE), RELATING TO THE SANTA MONICA MOUNTAINS LOCAL COASTAL PROGRAM (THIRD SUPERVISORIAL DISTRICT) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

1. Find that the recommended Santa Monica Mountains Local Coastal Program is consistent with the County of Los Angeles General Plan.
2. Signify your intent to adopt Plan Amendment 2006-00008-(3) repealing the 1986 Malibu Land Use Plan and adopting the Santa Monica Mountains Coastal Zone Plan.
3. Signify your intent to adopt Zone Change No. 2006-00009-(3) and an ordinance containing the proposed modifications to Title 21 (Subdivision Ordinance) and Title 22 (Planning and Zoning Ordinance), and determine that they are compatible with and supportive of the goals and policies of the Los Angeles County General Plan.
4. Direct the Department of Regional Planning to submit the Santa Monica Mountains Local Coastal Program to the California Coastal Commission for its review and certification.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The California Coastal Act requires coastal cities and counties to manage the conservation and development of coastal resources through a comprehensive planning and regulatory program called a local coastal program (LCP). An LCP is comprised of both a land use plan, and other actions to implement the land use plan including zoning and subdivision

ordinances and a zoning consistency program. Currently, the County does not have an LCP for the Santa Monica Mountains. Although the County has a certified land use plan (the 1986 Malibu Land Use Plan, or LUP), the implementing measures were never completed. As a result, applicants currently need to obtain coastal development permits through the California Coastal Commission.

Under the proposed Santa Monica Mountains Local Coastal Program, the 1986 LUP will be replaced by a new LUP containing many of the goals and policies of the 1986 plan, but revised and updated to reflect current thinking. The new LUP format and many of its goals and policies are similar to the Santa Monica Mountains North Area Plan, which was adopted by your Board in 2000 and guides development in the unincorporated portion of the Santa Monica Mountains north of the Coastal Zone. Several maps are part of the new LUP, including land use policy, Sensitive Environmental Resource Areas, Scenic Resources, and Recreation. (See attached "Project Summary.")

The proposed zone changes are necessary to make the zoning consistent with the land use policy map. Zone changes will affect over 50,560 acres in the Santa Monica Mountains Coastal Zone.

The main feature of the proposed implementing ordinance is the Santa Monica Mountains Coastal Zone Community Standards District (CSD), which provides detailed standards and procedures for future development. This CSD will fully implement the land use plan. A new zone, the Rural-Coastal Zone, is also being proposed for the Santa Monica Mountains Coastal Zone. The R-C Zone, which will only apply within the Santa Monica Mountains Coastal Zone, has been customized to accommodate the unique lifestyle and address the development constraints of the Santa Monica Mountains.

The preparation of the proposed LCP is necessary to comply with the Coastal Act, and certification will transfer coastal development permitting authority from the Coastal Commission to the County.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed Santa Monica Mountains Local Coastal Program promotes the County's Strategic Plan goal of Service Excellence. The proposed LCP has been carefully researched and analyzed to ensure that it is protective of public health and safety and the environment and is responsive to public concerns. In addition, when the proposed LCP is certified by the Coastal Commission, the County will have the authority to issue coastal development permits, thereby eliminating the need for most applicants to obtain approval from the Coastal Commission.

The proposed Santa Monica Mountains LCP also promotes the County's vision for

improving the quality of life in Los Angeles County. The proposed LCP will help to protect an area that provides the Los Angeles metropolitan region with a wide range of resource-based recreational opportunities. One of the main goals of the LCP is to protect the natural terrain throughout the Mountains. This natural terrain contains numerous hiking and horseback riding trails enjoyed by residents and visitors to the area, and is essential to maintaining the area's well-known scenic beauty.

FISCAL IMPACT/FINANCING

Implementation of the proposed Santa Monica Mountains LCP will result in new costs to the Department of Regional Planning associated with processing coastal development permits. However, the proposed LCP contains fees that are intended to recover the full cost for services provided in reviewing, evaluating, and monitoring projects within the Coastal Zone. Implementation of the LCP will not result in additional net County costs, and therefore a request for financing is not being made at this time.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Protecting coastal resources and managing the conservation and development of coastal resources through a comprehensive planning and regulatory program are required by the California Coastal Act of 1976 as amended and contained in the California Public Resources Code (Section 30000 et seq.). The Coastal Act created a zone along the state's 1,100-mile coastline that must be protected to preserve the state's coastal resources. The Coastal Act directs "[each] local government lying, in whole or in part, within the coastal zone" to prepare a local coastal program for its portion of the California coastal zone (Section 30500). The coastal zone in the Santa Monica Mountains extends approximately five miles inland from the coast and encompasses nearly 80 square miles.

The Coastal Act allows the County to segment the planning area within its coastal zone (Section 30511). The County has divided its coastal zone into three areas: Marina del Rey, Santa Catalina Island, and the Santa Monica Mountains. Due to their very unique characteristics, the County has chosen to create a separate LCP for each coastal zone area. Marina del Rey and Santa Catalina Island each have their own certified LCPs. The County does not have an LCP for the Santa Monica Mountains. Certification of this LCP by the California Coastal Commission is necessary before coastal development permitting authority can be transferred to the County.

The Regional Planning Commission conducted a public hearing on the proposed Santa Monica Mountains LCP on October 25, 2006, which was continued to November 6, 2006 and January 24, 2007. Over 5,000 notices were mailed to property owners and interested parties to announce the public hearing, and a legal notice was published in The Malibu Times, La Opinión, and The Daily News. Nearly 200 people attended the three meetings,

and 52 persons testified before the Commission. (See attached "Summary of Regional Planning Commission Proceedings.") The request before the Commission was to approve the proposed Santa Monica Mountains LCP (Local Plan Amendment Case Number 2006-00008, Zone Change Case Number 2006-00009, and Amendments to Title 21 and Title 22). Staff then made several changes to the draft LCP as directed by the Regional Planning Commission. The Regional Planning Commission voted to approve the proposed LCP at its March 7, 2007 meeting and directed that the LCP be transmitted to your Board for consideration. (See attached "Resolution of the Regional Planning Commission.")

After the Regional Planning Commission approved the proposed LCP in March, staff reviewed the LCP with Coastal Commission staff. Based in part on that review, staff is now proposing several changes to the proposed LCP. (See attached "Santa Monica Mountains Local Coastal Program, Changes to Propose to the Board of Supervisors, October 23, 2007.") While the majority of the changes are clarifications, some changes are intended to more fully implement the Coastal Act and protect coastal resources, as required by state law.

A public hearing by your Board on the proposed Santa Monica Mountains LCP is required pursuant to Section 22.16.200 of the County Code and Section 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

Local governments are not required to undertake environmental analysis for the preparation of an LCP. The Coastal Commission's review process for local coastal programs and amendments to them has been certified by the Secretary of Resources as being the functional equivalent of environmental review under the California Environmental Quality Act (CEQA). As such, the County is not required to prepare a CEQA document for the proposed Santa Monica Mountains LCP.

IMPACT ON CURRENT SERVICES

Approval of the proposed LCP will improve planning services to applicants who wish to develop or improve their property in the Santa Monica Mountains Coastal Zone. When the LCP is certified by Coastal Commission, applicants will be able to obtain coastal development permits directly from the County rather than going through the current process of first obtaining an Approval-in-Concept from the County and then the actual coastal development permit from the California Coastal Commission.

CONCLUSION

The proposed Santa Monica Mountains LCP is required by state law. Just as importantly, the LCP will provide County residents with several advantages to the current two-step permitting process. These advantages include: simplicity – one set of rules; efficiency – one local agency has primary jurisdiction; consistency – with County operating procedures and controlling documents, and; certainty – the rules are written down.

After your Board signifies its intent to adopt the plan amendment, zone change, and ordinance amendments, the Santa Monica Mountains LCP must be submitted to the California Coastal Commission for its review and determination as to the LCP's consistency with Chapter 3 of the Coastal Act. The Coastal Commission will hold a public hearing on the LCP. The Coastal Commission may certify or refuse to certify all or portions of the LCP. If they refuse to certify portions of the LCP, the Coastal Commission will provide the County a written explanation and may suggest modifications which, if your Board chooses to adopt the suggested modifications and transmit them to the Coastal Commission, would cause the LCP to be deemed certified by the executive director of the Coastal Commission.

If you have any questions regarding the proposed Santa Monica Mountains LCP, please contact Gina M. Natoli at (213) 974-6422. Ms. Natoli may also be reached at gnatoli@planning.lacounty.gov.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING



Bruce W. McClendon, FAICP
Director of Planning

BWM:RDH:GMN

Attachments:

1. Resolution of the Regional Planning Commission
2. Project Summary
3. Proposed Santa Monica Mountains Local Coastal Program
4. Changes to Propose to the Board of Supervisors
5. Summary of Regional Planning Commission Proceedings
6. Legal Notice of Board Hearing

7. List of Persons to be Notified

C: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Chief, Fire Department
Director, Department of Beaches and Harbors
Director, Department of Parks and Recreation
Director, Department of Public Health
Director, Department of Public Works